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Applicant: Li  
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**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listing, of claims in the application:

1. (Currently Amended) An image capture and printing device for creating a scanned image of an original image, the device comprising:

a user interface configured to present a plurality of capture-to functions and to receive input from a user indicating a selection of at least one of the plurality of capture-to functions;

an image capturer configured to capture a first image from only a portion of the original image, where the size, shape, or intensity of the first image, or a combination of the first image's size, shape, and intensity is based upon the selected capture-to function, and the portion of the original image captured is based upon the selected capture-to function; and

a print engine configured to print the first image as a background layer in a copy.

2. The device of claim 1, wherein one of the plurality of capture-to functions is a capture-to watermark function.

3. The device of claim 2, wherein the first image is stored at a reduced intensity.

4. The device of claim 3, wherein the first image is stored at a user determined reduced intensity.

5. The device of claim 2, wherein the first image is stored at about 10% intensity.

6. The device of claim 2, wherein the first image is printed as a background layer at a masked intensity.

7. The device of claim 1, wherein one of the plurality of capture-to functions is a capture-to header/footer function.

8. (Currently Amended) The device of claim 7, wherein the capture-to header/footer function captures a top portion and a bottom portion of the original image without the device analyzing

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content of the original image.

9. The device of claim 8, wherein the top and bottom portion captured measures about 1 inch.

10. (Currently Amended) The device of claim 8, wherein the size of top and bottom portions captured ~~are~~ from the original image is user determined selected.

11. (Cancelled)

12. The device of claim 1, wherein one of the plurality of capture-to functions is a capture-to border/frame function.

13. (Currently Amended) The device of claim 12, wherein the ~~scan-to~~ capture-to border/frame function captures ~~one of a group selected from a subset of~~ top, bottom, left, and right portions of the original image ~~or a subset thereof~~ without the device analyzing content of the original image.

14. (Currently Amended) The device of claim 13, wherein the top, bottom, left, and right portion of the original image captured measures about 1 inch.

15. (Currently Amended) The device of claim 13, wherein the size of the portion ~~capture of the~~ original image captured is user ~~determined~~ selected.

16. (Cancelled)

17. The device of claim 1, wherein one of the plurality of capture-to functions is a capture-to fax coversheet function.

18. The device of claim 17, wherein the scan to fax coversheet function captures the upper portion of the original image.

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19. The device of claim 18, wherein the upper portion captured measures about 33% of the original image.

20. The device of claim 17, wherein the captured image is stored at about 100% intensity of the original image.

21. (Currently Amended) A method of producing a background layer of an image, the method comprising:

providing a plurality of capture-to functions via a user interface;

receiving input from a user indicating a selection of at least one of the plurality of capture-to functions;

capturing a first image from only a portion of an original image based upon the selection of the user;

processing a combination of the first image's size, shape, and intensity, based upon the selection of the user, to produce a processed image; and

printing the processed image in a background layer of a second image.

22. The method of claim 21, wherein the step of capturing a first image further comprises storing an image that represents only a portion of an item being imaged.

23. The method of claim 22, further comprising the step of cropping.

24. The method of claim 21, further comprising the step of placing the first image as a background layer at a masked intensity.

25. The method of claim 24, wherein the masked intensity is about 10% of an original image.

26. The method of claim 24, wherein the masked intensity is user determined.

27. The method of claim 21, wherein the step of capturing a first image further comprises storing

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an image that is configured as a header/footer.

28. (Currently Amended) The method of claim 27, ~~further comprising the step of~~ wherein capturing the first image further comprises scanning the top and bottom portion of an imaged item of the original image without regard to content of the original image.

29. (Currently Amended) The method of claim ~~[[27]]~~ 28, wherein the top and bottom portion each measure about 1 inch in height.

30. (Currently Amended) The method of claim ~~[[27]]~~ 28, wherein the size of the top and bottom portions are user determined.

31. (Canceled)

32. (Currently Amended) The method of claim 21, wherein the step of capturing a first image further comprises capturing only an image of a border of ~~an imaged item~~ the original image.

33. (Currently Amended) The method of claim 32, ~~further comprising the step of~~ wherein the first image capturing comprises scanning the top, bottom, left, and right portions of the imaged item original image.

34. The method of claim 33, wherein each of the top, bottom, left, and right portions measure about 1 inch.

35. The method of claim 33, wherein the size of each of the top, bottom, left and right portions is user determined.

36. (Cancelled)

37. (Currently Amended) The method of claim 21, ~~further comprising the step of~~ wherein the

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first image capturing comprises scanning only an upper portion of an imaged item the original image.

38. The method of claim 37, wherein the upper portion measures about 33% of a height of the imaged item.

39. (Cancelled)

40. The method of claim 37, further comprising processing the second image to adjust its size or shape.

41. (New) The device of claim 1, wherein the device is a standalone device.

42. (New) A method, comprising  
    receiving a first image;  
    receiving from a user a selection of a capture mode;  
    capturing only a portion of the first image based upon the capture mode selected, the capturing occurring without regard to content of the first image; and  
    placing the captured portion of the first image as a background layer in a second image.

43. (New) The method of claim 42, wherein the portion of the first image captured comprises only a border portion of the first image.